

Preparing Proposed Orders

Compliance with the local rules pursuant to the Northern District of Georgia is a must. Common omissions include:

- 1. Omission of preparer's signature or /s on electronic submissions. See BLR 9013-3(b).**
- 2. Omission of hearing date, if applicable. See BLR 9013-3(a).**
- 3. Omission of the distribution list. See BLR 9013-3(c)(2).**

If you are instructed to prepare a proposed order on a motion that was actually contested, you must serve it on all other interested parties before submitting it to Chambers. If after submitting the order and before it is entered, you become aware that another party takes the position that the proposed order does not accurately reflect the court's ruling, telephone Chambers and let us know. Proposed orders based on defaults need not be served before their submission.

If the Court ruled orally at the hearing and stated findings of fact and conclusions of law, the proposed order may NOT recite findings of fact or conclusions of law but must instead state that the order is based on the findings of fact and conclusion of law stated on the record at the hearing.

A proposed order on an unopposed motion may NOT recite findings of fact or conclusions of law but instead should state that the respondent either did not appear or stated at the calendar call or hearing that respondent does not oppose the motion.

A proposed order, including consent orders, must identify the motion in sufficient detail so that the Clerk's Office will be able to easily identify it on the docket in order to relate the order to the motion in CM/ECF. Even if the motion is the only one on the docket, do NOT refer to it as "the above styled motion" or as the "foregoing motion." To identify the motion to which the proposed order is directed, the drafter must state in the first paragraph of the motion (1) the name of the movant, (2) the type of motion and (3) either (a) the date on which the motion was docketed or filed or (b) the document number. This information is available on the docket report which may be accessed through PACER.

A proposed order, including consent orders, must state in the ORDERED portion how the motion is to be disposed of. For, example, if the motion is to be granted, the first line should state: "ORDERED that the motion is GRANTED." It is not sufficient to state what disposition is being made of the motion solely in the style.

A proposed judgments in an adversary proceeding may not leave the adversary proceeding open or otherwise provide for future relief from the Court. Hence, for example, do not state in a consent judgment that if the defendant defaults, another judgment will be entered for the balance remaining due. Such a judgment should be for a stated sum with a side agreement concerning the conditions on which it may executed or compromised.